CHAPTER II

An Anatomy of the Indian Police

I. Growth prior to Independence

1.1. Landmarks: A semblance of the police system as we know it today existed even in Ancient India. But it was first under the Mughals and later during the British rule that what generally passed off as the Police attained a recognisable form. The former could be credited with having sown the seeds of the Village Police which, even now, is regarded as the bedrock of all police work.¹ The British, initially in the shape of the East India Company and subsequently as the representatives of the Crown, improved on it measure by measure. In this drawn-out effort, the following may rightly be regarded as the important landmarks:

i. the introduction (1843) in Sind of a system similar to the Royal Irish Constabulary;

ii. the extension (1853) of the above system to the Bombay Police with the appointment of a Superintendent of Police in every District;

iii. the appointment (1860) of a Police Commission which recommended the abolition of the Military Police and the constitution of a single homogeneous civil police force;

iv. the promulgation (1861) of the Police Act embodying the above recommendation;

v. the formation (1902) of another Police Commission which recommended major structural changes at all levels and which hold good even now;

and

vi. the setting up of the Islington (1912) and Lee Commissions (1924) whose recommendations led to substantial Indianization of senior ranks in the Forces.²

The above Indianization was accompanied simultaneously by the gradual increase in the strength of the subordinate levels as well. There was substantial accretion to the ranks arising from the Montague-Chelmsford Reforms of 1921-22. Thus, a little before independence was actually granted to India, there existed a fairly elaborate police machinery which transmitted an ability to stand up to the challenges of social disorder. There were no doubt a number of shortcomings. Basically, however, a system had been established which posterity could improve upon.

II. Growth since Independence

2.1. State Forces: A striking development in the Indian Police since Independence (1947) is the rate at which State police forces have expanded. This is the result

² Sir Percival Griffith, p.190.
mainly of the need to cope with a rise in population and the consequent increase in workload. Appendix I illustrates the point in respect of a few Forces in the country. The growth of the Tamil Nadu Police has been particularly phenomenal. This State would provide the main base of investigation for the present thesis because:

i. This Researcher belongs to the Indian Police Service Cadre of Tamil Nadu where he has had substantial field experience;

and

ii. Tamil Nadu is normally looked upon as one of the more enlightened States in the country from the point of view of police administration.

2.2. Central Forces: Perhaps an equally noteworthy phenomenon is the creation of a large army of para-military and similar Forces under the control of the Government at the Centre. These are the Border Security Force (82 battalions), Central Reserve Police Force (71 battalions), the Indo-Tibetan Border Police (9 battalions), Central Industrial Security Force (30 battalions) and the Railway Protection Force (8 battalions). Intelligence agencies such as the Central Intelligence Bureau and the Research and Analysis Wing (although not wholly manned by the Police) and the premier investigating body, viz., the Central Bureau of Investigation (C.B.I), are also formidably large in size.

2.3. Modernization: No account of the Government's efforts to sharpen police performance in the country is complete
without a reference to its scheme for modernization of forces. Under this, each State Police Force receives, annually, a handsome grant to modernize its equipment such as vehicles, wireless system, computer and other tools which facilitate scientific investigation of crime and a systematic handling of crisis situation. Tamil Nadu received the following grants during the past five years and it spent the allocated money in the manner noted against each year:

<table>
<thead>
<tr>
<th>Year</th>
<th>Expenditure (Rs.in lakhs)</th>
<th>How spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1977-78</td>
<td>18.54</td>
<td>i. Motor cycles (34)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. Jeeps (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. LUS Equipment for Finger Print Bureau (Phase - I)</td>
</tr>
<tr>
<td>1978-79</td>
<td>24.68</td>
<td>i. Motor Cycles (14)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. LUS Equipment (Phase II &amp; III)</td>
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<td>1979-80</td>
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<td></td>
</tr>
<tr>
<td>1980-81</td>
<td>60.32</td>
<td>i. Jeeps (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. WHF Sets (300)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. W.T. Sets (154)</td>
</tr>
<tr>
<td>1981-83</td>
<td>86.82</td>
<td>i. W.T. Sets (416)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. Electronic Telex Exchange</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. Enlarger Lens (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iv. Adapter for Microfilming</td>
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</tbody>
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III. The Image of the Police

3.1. The Public View: The above account of the growth of Indian Police in the post-Independence period thus makes impressing reading. It rightly gives one the feeling that the Forces are moving forward to new levels of efficiency. This does not, however, square with the image of the Police in the eyes of the public. Under the British, the Police had been regarded as an instrument of oppression and a tool to strike incalculable fear in the mind of the common man. Unfortunately, even after three decades of Independence, the Police has failed to live down this image. It is still looked upon as a body of men who are unsympathetic and unresponsive to the lowly placed and who use third degree methods in their day-to-day operations without any inhibition. That this is not a sweeping statement made out of bias could be gauged from many public opinion surveys.

3.2. Study by David Bayley: Perhaps the most significant of such surveys was the one organized in 1965 by David Bayley whose 'Police and Political Development in India' is an authoritative volume on the growth and structure of the Indian Police. Four questions in this survey attempted to elicit the views of respondents on what they thought was the kind of treatment people who came into contact with the Police received. A sizeable proportion of the urban respondents, particularly those from the North, believed that police questioning was both 'rude and tricky'. Further, nearly
50% of those interviewed in a city in Uttar Pradesh, stated that the Police threatened and beat everyone they took to the Station. In the same city, 74% believed that a bribe was necessary to persuade policemen to do their duty. According to Bayley, the survey results demonstrated "forcefully what many close observers of Police-Public relations in India have long thought, namely, that the Indian public is deeply suspicious of the activities of the Police. A considerable proportion expect the Police to be rude, brutal, corrupt, sometimes in collusion with criminals and very frequently dealing unevenly with their clients."\(^3\)

3.3. Study by Indian Institute of Public Opinion: A more recent survey (1978) was the one conducted by the Indian Institute of Public Opinion, New Delhi at the instance of the National Police Commission. To a question whether the Police in India as a profession discharged its duties in a straight-forward and impartial manner, 78% of the complainant witnesses (i.e., those who had come into contact with the Police in their capacity as a complainant) said 'no'. 86% of the non-complainant witnesses shared the same view. As regards police attitudes towards the public, nearly 50% of both categories felt that the Constabulary were threatening in their posture. Nearly 20% thought they were rude. The

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impression was somewhat less unfavourable as regards the attitudes of higher levels. 44% of the complainant and 47% of the non-complainant witnesses believed that corruption was one main reason why police image in the country was poor. Low economic and social conditions of policemen and their lack of education were cited as other reasons why the Police was looked down upon by society. The respondents suggested stricter supervision (25%), better living conditions (21%), better selection and training procedures (13%), better working conditions (7%) and the recruitment of well educated men (3%) as measures which would help to improve police image. 4

3.4. Survey by this Researcher: This Researcher conducted an opinion survey (October 1982) among a cross-section of the population in Tamil Nadu to assess what the public think of police performance and conduct. Eighty per cent of the 64 samples chosen were graduates, and the rest had only school education. They represented various professions such as teaching, commerce, medicine, engineering, government service, etc. Only 31% of the respondents believed that police image in India was good. 15% were positive that this was bad. 54% considered that it was partly good and partly bad. 44% thought that the Police was responsive to the needs of the common man. 31% did not share this view. 25% were uncertain of the actual position. 73% believed that

the Police could be made more responsive by inducting into it more highly educated men and women. 11% alone opined that policemen were always impartial in the discharge of their duties. 73% stated that this was the case only sometimes. Surprisingly, a few of the respondents (8%) averred that policemen were never impartial. The remaining 8% did not offer any opinion.

3.5. Lessons drawn from the Surveys: Surveys of the kind cited above no doubt suffer from many infirmities. Far too often the selection of samples is unscientific and their questioning rather hurried and unimaginative. Nevertheless, within permissible margins of error, they help to reinforce certain widespread impressions.

The strong feeling among many sections of the Indian populace that policemen are far from helpful and are perpetrators of misery gets strengthened by the findings of the surveys referred to in the preceding paragraphs. This is a rather dismaying situation if one considers the fact that it is more than thirty years since India got herself disengaged from the yoke of foreign rule. Equally relevant is the fact that the money spent on the Police has been increasing enormously each year without apparently a corresponding improvement in police performance.
IV. Impact of the Problems of a Modernizing Society

4.1. Background: One explanation that is normally offered for the poor performance of the Indian policeman is that he functions in a complex society that is still in a period of transition from the archaic to the modern. Sociologists look upon India as a modernizing society in which the individual "lives an institutional life in a traditional set-up transmitted to him by his culture and under various affiliations of blood-ties; family roles, kinship behaviour, age-old conventions, ethos and valued-ideals". This is in conflict with an evident desire to alter the social fabric on the basis of newly acquired social values. The resultant mental confusion introduces uncertainties in an average citizen's daily conduct. Himself coming from and having to operate in such a social set-up, the Indian policeman finds himself in a piquant situation.

4.2. Problems of the Economy: A few writers look upon 'Modernization' as a "process of social change in which development is the economic component" and also as "the twentieth century's distinctive mode of accelerating social change by rational planning". Viewed in this perspective,

India's modest progress towards the target of full economic development marks it as a society that is yet to modernize itself totally. In spite of the well-conceived Five-Year Plans and the many gigantic public sector projects that have consequently come into being, the country's economic situation is still far from satisfactory. While the population has gone up from 36 crores in 1951 to 68 crores in 1981, the per capita income remains at an abysmal Rs.1,163 per annum. The growth rate has also not shown any phenomenal increase. The level of unemployment, particularly among those who are educated and even have college degrees, is disconcertingly high. All these distressing features of the economy have heightened urban tension and have had an impact on the crime graph as well. From a mere 5.66 lakh cases in 1954, the crime figure went up to 13.54 lakhs during 1977. (The official figures for the subsequent years are still not available.) There has been a corresponding increase in the pendency of cases in Courts, viz., 1.9 lakhs in 1962 against 19.7 lakhs during 1975. Further, the various restrictions on the economic and financial activities of business firms and individuals (which government has considered necessary to impose) have led to

4.3. Growth in Literacy: The process of modernization has led to a major expansion in facilities for primary education. This has considerably pushed up literacy among groups of the population, particularly those living in urban areas and adds new dimensions to police tasks. "... the style of police handling of public order situation has had to change from an aggressive mailed-fist attitude to a peaceful and persuasive handling of agitational groups." The situation calls for greater sophistication among police personnel, particularly those at lower levels. Consequently, a major task of the police leadership is to bring about an attitudinal change among policemen traditionally known for their ham-handedness.

4.4. Allegiance to Caste and Community: The contradictions in the mental outlook of an average Indian citizen referred to in paragraph 4.1 are in no better evidence than in his strong sense of loyalty to his communal and caste group. The modernizing influences that are discernible in Indian society have not diluted the desire of every Indian to profess open support to the clan he belongs to. While this no doubt introduces stability to individual groups, it has worked against bringing greater cohesion to the society as a whole.

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Since casteism and communalism have become fashionable and are dominant factors in the day-to-day life of almost every Indian, tension between groups is frequent. Not a day passes without reports of communal and caste clashes in some part of the country or the other. Particularly dismaying are those that occur between Hindus and Muslims and between Scheduled Castes and the so-called 'Upper Caste Hindus'. The situation flowing from such exchanges is difficult to handle and requires extreme ingenuity and the display of utmost non-partisanship by the Police. This is difficult to achieve because policemen themselves find it difficult to extricate themselves from the pull of communal and caste loyalties. This inescapable factor has invited the critical attention of many communal groups immediately following major clashes.

4.5. Prejudices of the Political Elite: A sizeable section of the political elite in the country are still those who had seen the Police in action under an alien government. They, therefore, find it difficult to erase from their minds the memory of a perverted Force driven by a foreign power to suppress the nationalist sentiment. This unfortunate mental make-up of some of today's functionaries is a tremendous handicap to policemen who, during their day-to-day working, should be constantly conscious that their methods of work and conduct are subject to a clinical and sometimes, biased scrutiny.
V. Present Structure and Composition

5.1. The Hierarchy: Since Independence, the structure of the Indian Police, particularly at the District level, has not undergone any radical change. The Police Station has remained the fundamental unit of administration. The three-tier structure recommended by the 1902 Police Commission has been basically preserved. This comprises the Constabulary, the supervisory ranks (Sub-Inspector and Inspector) and the superior officers (Deputy Superintendent and District Superintendent). There is a Deputy Inspector-General (D.I.G.) for each Range which is a group of three or four Districts. He supervises the work of District Superintendents of Police in his jurisdiction and thereby reduces the span of control of the Inspector-General (I.G.). A change of some significance ushered in during the recent past is that many State Forces are headed by a Director-General (D.G) instead of by an Inspector-General. The former has now two or three functional Inspectors-General reporting to him. For instance, in Tamil Nadu, there is an I.G. for Law and Order and another for Crime and Intelligence. To facilitate easy understanding, an organisational chart of a typical State Force (Tamil Nadu) is given in Appendix II.

5.2.1. Recruitment - General Observations: In spite of the fact that a career with the Police, particularly at the level of the Constabulary, suffers from the treble shortcomings of an unattractive pay structure, poor promotion
prospects and an hazardous range of duties, there has been no major problem in getting adequate manpower. The high rate of unemployment ensures an avalanche of applications even from educated youth. Actually, on recruitment days, there is such a large gathering of aspirants, that the recruiting officials have to prepare themselves to meet large-scale confusion and public disorder.

Literacy in the country which was 5.3% in 1901 and which rose to 29.45% in 1971 is now 34.80% (according to the 1981 Census). There has been a commensurate rise in the literacy level of recruits to the police services, in the highest, middle and lowest levels. Possibly, the phenomenal change in the educational background of recruits of the Tamil Nadu Armed Police Battalions more than any other Force amplifies the point best. Although the basic educational qualification for a recruit to the Armed Police is still only an ability to read and write, the number of young men with fairly high educational achievement is amazing. Appendix III illustrates the changing scene best.

5.2.2. Recruitment of Constabulary: The Constabulary who constitute nearly 95% of any State Police Force are recruited by the District Superintendents of Police and Commandants of the State Armed Police Battalions. Forces under the Central Government do similar recruitment to meet their needs.

At present, the education level prescribed for Constable-recruits to the Unarmed Branch varies from a pass
in the VII Standard to a pass in the Higher Secondary or an equivalent examination. Kerala, Maharashtra and a few Union Territories opt for the VIII Standard. However, uniformly in all States, Scheduled Caste and Scheduled Tribe candidates are given a relaxation. The Committee on Police Training appointed by the Government of India recommended (1973) that a pass in the Final High School Examination or its equivalent should be the minimum educational qualification for the recruitment of Constables both in the Unarmed and Armed Branches throughout the country. The Committee added that there should be a conscious effort to attract persons with an even higher educational qualification. It also favoured advance increments to those coming in with high qualifications.

5.2.3. Recruitment of Sub-Inspectors: Sub-Inspectors of Police are picked up on the basis of a State-wide selection process which has a preliminary physical efficiency test followed by an interview which is sometimes preceded by a written test. In some States, the Public Service Commission is entrusted with this task and it does this by co-opting senior serving or retired Police Officers. In others, the Force itself wholly takes care of the selection. The Central Government Forces also recruit Sub-Inspectors from time to time adopting almost the same method as State Forces.

5.2.4. Recruitment of Superior Officers: The next level of recruitment is for the ranks of Deputy Superintendent and Assistant Superintendent. The former is recruited by the
State Government on the basis of a competitive examination held by the State Public Service Commission. In addition to this direct recruitment from among fresh graduates, there is a percentage of promotion to this rank from Inspectors found suitable in terms of their seniority and performance in the field.

An Assistant Superintendent belongs to the elitist Indian Police Service (I.P.S). He is chosen from young graduates of the 21-28 age group on the basis of an All India competitive examination conducted annually by the Union Public Service Commission. Incidentally, the results of the same examination are utilised to select officers for the Indian Foreign Service (I.F.S), the Indian Administrative Service (I.A.S) and a host of other superior Services run by the Government of India. A common selection list is drawn up from which candidates are assigned to the different Services on the basis of their preference, rank in the merit list, and available vacancies each year. There is also a scheme whereby officers belonging to the State Police Force who have attained the rank of Superintendent of Police are promoted to the I.P.S. against a quota of 33% of all the posts earmarked as I.P.S. Cadre posts. This is as a measure of incentive to State Service Officers starting in the lower rungs so that they can reasonably aspire to rise in the hierarchy and occupy positions of importance at least for a short spell before they retire from service. On the face of it, this is a laudable scheme aimed at heightening the
morale of an important segment of the Force. Unfortunately, however, this has led to a few personnel problems in the form of litigation between direct recruits to the I.P.S and promotees thereto over fixation of relative seniority and to consequent lack of harmony between the two classes. Both the Government of India and State Governments have been highly embarrassed by this development.

5.3. Communal Composition: Perhaps equally important is the question what the communal composition of the various police forces in India is. This is because, as already stated in paragraphs 4.1 and 4.4, in spite of a facade of modernity, Indian society is still a tradition-bound, close-knit outfit. Bayley bemoans the fact that precious little information is available to answer questions such as "Who are the men of the Constabulary?", "What castes predominate?", and "What families repeatedly send their young men to the Police?". He is struck by the reluctance of government officials, particularly IPS officers, to discuss the subject in all its detail. He seems unconvinced by the denial of some of them that caste ever played a part in the recruitment of Constables. "If caste is as pervasive in its influence as is generally accepted, can a police force operate effectively if it does not reflect the caste composition of an area in which it must act or is utterly heterogeneous in its caste make-up?".

This Researcher shares Bayley's belief.

9 Bayley, p.90.
10 Ibid., p.92.
This Researcher collected specific data on the communal background of policemen. Figures for the whole country have been difficult to obtain. Hence the decision to confine himself to Tamil Nadu Police which has an impressive data bank. The communal composition of the Force is as below:

<table>
<thead>
<tr>
<th>Level</th>
<th>Total strength</th>
<th>Scheduled Castes</th>
<th>Scheduled Tribes</th>
<th>Muslims</th>
<th>Christians</th>
<th>Others (Mostly Upper Caste Hindus)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Superior Officers (i.e., from DSP to DGP)</td>
<td>346</td>
<td>25</td>
<td>2</td>
<td>7</td>
<td>32</td>
<td>280</td>
</tr>
<tr>
<td>Middle Level (i.e., Inspectors and Sub-Inspectors)</td>
<td>4366</td>
<td>541</td>
<td>9</td>
<td>177</td>
<td>419</td>
<td>3220</td>
</tr>
<tr>
<td>Constabulary</td>
<td>46384</td>
<td>8608</td>
<td>425</td>
<td>3177</td>
<td>5601</td>
<td>28573</td>
</tr>
</tbody>
</table>

Taking the Force as a whole, the representation of the minority communities whose strength in the State population is given in brackets would work out as follows:

- Scheduled Castes and Tribes: 18.8% (1.6%)
- Christians: 11.9% (4.8%)
- Muslims: 6.6% (4.3%)

5.4. Family Background: The family background of the members of the Forces is of no less significance. While information under this head is not available in respect of the entire Tamil Nadu Police, the figures collected from representative
samples belonging to the ranks of Inspector, Sub-Inspector and the Constabulary who took part in the survey (1981) conducted by this Researcher at Madras are revealing. The fathers of the 370 samples were from the following professions:

- Agriculture: 215
- Police: 41
- Trade: 21
- Teaching: 9
- Armed Forces: 5
- Other Government Service: 1
- Other professions (such as industrial workers, tailors, fishermen, masons, etc.): 2

The above figures would indicate that personnel with an essentially agrarian background dominate the ranks of the Tamil Nadu Police. Men who are already well exposed to the Police through their policemen fathers are also sizeable in number. These incidentally, are two groups who, more than others, have the right background for a job in the Police which requires among other qualities, an understanding of the characteristics of the rural scene and a mental make-up that is attuned right from youth to withstanding the rigours of police routine. Discussions with officers from Central and State police forces reveal that their composition is not very different. When this is the case, how is it that the police personnel in India are tarnished by the popular impression that they are a body of
cruel and dishonest individuals who are reluctant to help the common man in distress? This question would come for a critical analysis in the subsequent chapters.
Although Ancient India is known to have had a sort of police system, it was only under the Moghuls that some shape was lent to the Police. The real credit for the ultimate growth of the Police in this country should, however, go to the British who first under the East India Company and later under the Crown, brought about many innovations which helped the Police to attain a formal structure. The Force was manned at the higher levels essentially by Europeans till the beginning of the present century when appreciable Indianization took place. Since Independence, the Police as a body has grown considerably in the States. Significant also is the birth of a number of huge para-military and similar Forces under the control of the Central Government. Noteworthy again is the scheme of modernization floated by the Government of India. Although the basic structure of the Indian Police has been generally retained, there is evidence of a few changes in the composition of Forces. The literacy level of recruits has gone up a great deal and their ethnic break-up bears better relation to their strength in the community than before. More importantly, many of them have a rural background which is quite suited to efficient discharge of duties in an essentially service-oriented agency like the Police. It is, therefore,
surprising why the Police in India is yet to gain a reputation for efficiency and willingness to help the common man at all costs. The image of the police forces remains unsatisfactory as borne out by a number of studies.